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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/532,995 | 11/18/2005 | Kiyoshi Yagi | Q87740 | 9113 |
| 65565 | 7590 | 07/06/2010 | | |
| SUGHRUE-265550 2100 PENNSYLVANIA AVE. NW WASHINGTON, DC 20037-3213 | | | EXAMINER NERANGIS, VICKEY MARIE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1796 | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 07/06/2010 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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|------------------------------|--------------------------------------|------------------------------------|--|
| Office Action Summary | Application No. 10/532,995 | Applicant(s) YAGI ET AL. | |
| | Examiner Vickey Nerangis | Art Unit 1796 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. All outstanding rejections, except for those maintained below, are withdrawn in light of applicant's amendment filed on 4/5/2010.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.
3. The new grounds of rejection set forth below are necessitated by applicant's amendment filed on 4/5/2010. In particular, claim 1 has been amended to include a bromine-containing flame retardant. Thus, the following action is properly made final.

Claim Rejections - 35 USC § 103

4. Claims 1, 2, and 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayami (US 5,470,657) in view of JP '464 (JP 11-302464).

Hayami discloses an insulated lead wire for direct current comprising 100 parts by weight (pbw) of a polyolefin, 100-200 pbw metal hydroxide such as magnesium hydroxide (col. 5, lines 21-23), and 5-50 pbw halogen-containing flame retardant such as bromine-containing retardants (col. 5, lines 4-8), 1-10 pbw organic silane compound (col. 4, lines 37-58), and inorganic filler such as silica (col. 4, lines 25-27; col. 5, line 60).

Hayami fails to disclose the addition of a nylon fiber.

JP '464 discloses a resin composition for use in electric wire (paragraph 0001) comprising 90-99 wt % polyolefin and 10-10 wt % polyamide (e.g., nylon) fiber having an average diameter of 1 micron or less and an aspect ratio of 20-1,000 (paragraph 0017). JP '464

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teaches that the addition of its nylon fiber provides for final products with excellent rigidity, lightweight nature, and dimensional stability (paragraphs 0005 and 0037).

Given that both Hayami and JP '464 are drawn to polyolefin electrical wire insulation and further given that nylon fibers provide for improved mechanical fibers in the polyolefin composition as taught by JP '464, it would have been obvious to one of ordinary skill in the art to utilize nylon fibers in the insulated wire of Hayami in order to provide for those improved properties.

5. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO '408 (WO 01/98408) in view of JP '570 (JP 11-106570).

WO '408 discloses a flame-retardant polypropylene resin composition comprising polypropylene resin, brominated flame retardant agent, magnesium hydroxide (page 8, lines 26-31), silane-based coupling agent (page 7, lines 19-20), and inorganic reinforcing fillers such as silica (page 8, lines 19-26)

WO '408 fails to disclose the addition of a nylon fiber.

JP '570 discloses a resin composition comprising 90-40 parts by weight (pbw) polyolefin and 10-60 pbw polyamide (e.g., nylon) fiber having an average fiber diameter of 1 micron or less and an aspect ratio of 20-1,000. JP '570 teaches that nylon fiber is a better reinforcing agent than inorganic fillers because the final product has an improved surface and as well as improved mechanical properties (paragraphs 0002 and 0005).

Given that WO '408 teaches the addition of reinforcing filler and further given that JP '570 teaches that nylon fiber is an excellent reinforcing filler in polyolefins which also provides

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for a good surface, it would have been obvious to one of ordinary skill in the art to utilize nylon fiber in the flame-retardant polypropylene resin composition of WO '408.

Response to Arguments

6. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vickey Nerangis whose telephone number is (571) 272-2701.

The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

vn

/Vickey Nerangis/
Primary Examiner, Art Unit 1796